

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN SAUCIER,

Plaintiff,

v.

SACRAMENTO COUNTY JAIL
MEDICAL STAFF,

Defendant.

Case No. 2:21-cv-00950-JDP (PC)

FINDINGS AND RECOMMENDATIONS
THAT THIS ACTION BE DISMISSED FOR
FAILURE TO PROSECUTE, FAILURE TO
COMPLY WITH COURT ORDERS, AND
FAILURE TO STATE A CLAIM

OBJECTIONS DUE WITHIN FOURTEEN
DAYS

On August 31, 2021, I screened plaintiff's complaint pursuant to 28 U.S.C. § 1915A. ECF No. 5. I notified him that the complaint failed to state a claim and granted him sixty days to either file an amended complaint or notify the court that he wished to stand by his original complaint, subject to a recommendation that it be dismissed. *Id.* I also warned plaintiff that failure to comply with that order could result in dismissal of this action. *Id.* at 3.

The deadline has passed, and plaintiff has not filed an amended complaint nor otherwise responded to the August 31, 2021 order.¹ Accordingly, it is hereby ORDERED that the Clerk of Court shall randomly assign a United States District Judge to this case.

¹ Although it appears from the file that plaintiff's copy of the August 31, 2021 order was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

1 Further, it is RECOMMENDED that:

- 2 1. This action be dismissed for failure to prosecute, failure to comply with court orders,
3 and failure to state a claim for the reasons set forth in the August 31, 2021 order. *See* ECF No. 5.
4 2. The Clerk of Court be directed to close the case.

5 These findings and recommendations are submitted to the United States District Judge
6 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
7 after being served with these findings and recommendations, any party may file written
8 objections with the court and serve a copy on all parties. Such a document should be captioned
9 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
10 objections shall be served and filed within fourteen days after service of the objections. The
11 parties are advised that failure to file objections within the specified time may waive the right to
12 appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
13 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

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15 IT IS SO ORDERED.

16 Dated: November 5, 2021


17 JEREMY D. PETERSON
18 UNITED STATES MAGISTRATE JUDGE

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